

RECORD OF PROCEEDINGS  
MINUTES OF THE MEETING OF THE  
LA PLATA ARCHULETA WATER DISTRICT  
HELD  
November 9, 2017

The regular meeting of the Board of Directors (“Board”) of the La Plata Archuleta Water District (“District”) was held on November 9, 2017, at 9:00 a.m. at 255 Ute Street, Ignacio, Colorado.

ATTENDANCE:                    Directors in Attendance Were:

Dick Lunceford  
Dan Lynn  
Ron Dent  
Gregg Johnson  
Mark Williams

Also in Attendance Were:

Ed Tolen, Manager  
Yvonne Brunson, Customer Service Representative  
Barb Prose, FredrickZink& Associates  
Brett Sherman, Harris Water Engineering  
Karmen King, Grayling, LLC  
Cheryl Lynn, Secretary of the Board

In Attendance by Telephone Were:

David Greher, Collins Cockrel and Cole  
Micki Mills, Collins Cockrel and Cole

DISCLOSURE OF  
POTENTIAL CONFLICTS  
OF INTEREST

Disclosure of potential conflicts of interest will be a topic of discussion at every Board meeting to address potential conflicts of interest that may arise as new agenda items are introduced. District Directors who have disclosed potential conflicts of interest can vote as issues arise. Directors in attendance reported no conflicts of interest.

PUBLIC COMMENTS        There were no public comments.

APPROVAL OF  
MINUTES

Upon motion duly made by Director Johnson, seconded by Director Dent, and unanimously carried, the Minutes of the October 12, 2017, regular Board Meeting were approved.

FINANCIAL REPORT

Reports - Ms. Prose distributed the October, 2017, Accounts Payable Report and October, 2017, Accountant’s Compilation Report to the Board. After review and upon motion duly made by Director Williams, seconded by Director Johnson, and unanimously carried, the Board approved payment of invoices as shown on the attached Accounts Payable statement dated November 8, 2017.

FINANCE COMMITTEE

REPORT

Manager Tolen advised the Board that the 2018 District Budget, revised, will be presented at the December 14, 2017 meeting. Ms. Mills reminded those present that December 14, 2017, will also be the Board’s Budget Hearing for the adoption of the 2018 Budget.

PUBLIC RELATIONS/  
COMMUNICATIONS  
COMMITTEE REPORT

Manager Tolen reported that he will compile and distribute a District newsletter soon. This newsletter will contain information related to the recent Subdistrict election.

LEGAL REPORT

Phase 1B and 1C Litigation – Counsel Greher reported that litigation continues to move forward, albeit slowly. The latest development is that a pipe inspection on pipe from the most resent leak was completed the week of November 6, 2017, and a report prepared by the experts will be forthcoming.

ENGINEER REPORT

Bid Opening – Mr. Sherman presented a spreadsheet showing the results of the bid opening held on Tuesday, November 7, 2017, for the Phase 1G Part 1 project, noting that Phase 1G Part 2 bid will be released in January, 2018, barring any unforeseen circumstances. He further reported that negotiations related to a water haul station site in the vicinity of Highway 160 and County Road 225 continue with the Colorado Department of Transportation.  
LAPLAWD Meeting with the City of Durango – Mr. Sherman reported that the District will participate in a City Council Study Session the evening of January 9, 2018.

ENVIRONMENTAL  
REPORT

Ms. King reported that she continues work on the two parts of Phase 1G. She noted that related regulatory changes could impact the project, particularly a cursory level cultural resources review and the 401 Water Certification process. In addition, Fish and Wildlife is developing a map of the locations of the New Mexico Jumping Mouse which could impact present and future District projects.

GENERAL MANAGER  
REPORT

Bid Award – Manager Tolen reported that TRC is the apparent low bidder for Phase 1G Part 1. Upon motion duly made by Director Lynn, seconded by Director Johnson, and unanimously carried, the Board awarded the Phase 1G Part 1 work to TRC.  
Sundance Hills/Farraday Subdistrict No. 1 TABOR Election – Manager Tolen reported the results of the election. With the approval of the voters within the Sundance Hills/Farraday Subdistrict No. 1, work will begin and a request will be made to the Department of Local Affairs (DOLA) for a grant for half of the construction cost of the project. The results of the grant request should be available by March, 2018. A Project Needs Analysis in anticipation of a loan application for half of the construction cost will be conducted concurrently with the DOLA grant request.  
Colorado Department of Transportation (CDOT) Water Haul Station Site Negotiations – Manager Tolen shared a copy of a CDOT Memorandum of Understanding (MOU) related to the water haul station site negotiations. Counsel Greher will review the MOU. Work continues on an easement for the Neleigh property along the same Highway 160 corridor. Those present were encouraged to review the General Manager Report for additional details related to District operations.

EXECUTIVE SESSION

Upon motion duly made by Director Dent, seconded by Director Lynn, and unanimously carried, the Board entered into Executive Session at 9:43 a.m. for the purpose of discussing personnel matters, except if the employee who is the subject of the session has requested an open meeting (Section 24-6-401(4)(f), C.R.S. The Board reconvened in regular session at 10:14 a.m.

ANY OTHER MATTER  
WHICH MAY COME


BEFORE THE BOARD

General Manager Performance and Compensation – Mr. Tolen was commended by the Board for his work leading the District forward. Upon motion duly made by Director Lynn, seconded by Director Dent, and unanimously carried the Board awarded Manager Tolen a \$3,000 bonus in conjunction with his November, 2016, through October, 2017, performance review.


Removal of Property from the Subdistrict – A member of the Sundance Hills/Farraday Subdivision has asked about the process to remove a property from the recently approved Subdistrict 1. The process will follow the same guidelines as an exclusion with a formal request in writing, fees, a public hearing, and resetting of boundaries should the request be granted by the Board.


ADJOURNMENT


The meeting was adjourned at 10:22 a.m. The next regular meeting of the District is scheduled for December 14, 2017, at 9:00 a.m. at 255 Ute Street, Ignacio, Colorado.


  
Secretary for the Meeting

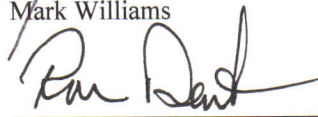
APPROVED

  
Richard T. Lunceford

  
Gregg Johnson

  
Mark Williams

  
Daniel R. Lynn, III

  
Ron Dent

Pursuant to Section 24-6-402(2)(d.5)(I)(B), C.R.S., I hereby attest that I am the attorney of the District, that I was in attendance during the Executive Session of the Board convened on November 9, 2017, and that the discussion during the Executive Session constituted a privileged attorney-client communication for which no record is required to be kept by law.

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David A. Greher, General Counsel